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January 28, 2019

VIA ECF

U.S. District Judge Katherine Polk Failla
United State District Court
Southern District of New York
40 Foley Square, Courtroom 618
New York, New York 10007

**Re: *Deleston v. Kallejon Corp. d/b/a El Kallejon, and
207 E. 117th Street LLC*, 18-cv-08280-KPF**

Dear Judge Failla:

This firm represents Defendant 207 E. 117th Street LLC (hereinafter Defendant.) We were recently retained and filed a notice of appearance on January 15, 2019 (ECF Doc. 23). I write pursuant to Rule 2(A) and (E) of Your Honor's Individual Rules of Practice to request a 30-day extension from today for Defendant to answer, move, or otherwise respond to the Complaint. The answer was originally due October 16, 2018 after service of the Summons and Complaint upon the New York State Secretary of State. This is Defendant's first request for an extension. Defendant requests this extension to have time to review and investigate the allegations in the Complaint and determine an appropriate response.

Defendant waives any personal service defenses. Plaintiff's counsel has consented to Defendant's request on that condition notwithstanding Defendant's default.

Plaintiff's counsel informs me that the Court has directed Plaintiff to move for a default judgment by February 1, 2019. Plaintiff's counsel agrees not

to move for a default judgment pending this application for an extension and if the application is granted then upon Defendant's timely response to the Complaint.

By order of the Court filed on January 4, 2019, the initial pretrial conference in this case was adjourned until March 7, 2019 at 4:30 p.m. and all other filing deadlines in conjunction with the initial pretrial conference were adjourned to coincide with the new conference date.

Thank you for your consideration of this request.

Yours truly,

A handwritten signature in dark ink, appearing to read "Andrew Weltchek". The signature is fluid and cursive, with the first name "Andrew" and last name "Weltchek" clearly distinguishable.

Andrew Weltchek

cc: Hon Katherine Polk Failla (via email:
Failla_NYSDChambers@nysd.uscourts.gov)
Erik M. Bashian, Esq. (via ECF)
David DeStefano, Esq. (via ECF)